# **ATTACHMENT 3**

# MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

PLANNING DIVISION
CITY OF SUNNYVALE
P.O. BOX 3707
SUNNYVALE, CALIFORNIA 94088-3707

File Number: 2004-0602 No. 04-21



### NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This form is provided as a notification of an intent to adopt a Mitigated Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

#### PROJECT TITLE:

Application for a Rezone and Special Development Permit filed by Brad Clausen

#### PROJECT DESCRIPTION AND LOCATION (APN):

Application for related proposals on a 26,600 square-foot site located at **1044 West El Camino Real** in a C-2 (Highway Business) Zoning District. (APN: 198-26-007)

- Rezone from C-2 (Highway Business) to C-2/ECR (Highway Business/ El Camino Real Precise Plan) Zoning District; and
- **Special Development Permit** to allow the construction of a 10,696 square-foot motorcycle sales, parts, and service building.

#### WHERE TO VIEW THIS DOCUMENT:

The **Mitigated Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to **5:00 p.m. on September 7, 2004**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

#### **HEARING INFORMATION:**

A public hearing on the project is scheduled for:

Monday, September 13, 2004 at 8:00 p.m. by the Planning Commission in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale; and on,

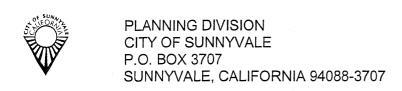
Tuesday, September 28, 2004 at 7:30 p.m. by the City Council in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

#### **TOXIC SITE INFORMATION:**

(No) listed toxic sites are present at the project location.

Circulated On August 18, 2004

Fred Bell Principal Planne



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#### MITIGATED NEGATIVE DECLARATION

This **Mitigated Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

#### PROJECT TITLE:

Application for a Rezone and Special Development Permit filed by Brad Clausen.

#### PROJECT DESCRIPTION AND LOCATION (APN):

**Project Description:** Application for related proposals on a 26,600 square-foot site in a C-2 (Highway Business) Zoning District.

- **Rezone** from C-2 (Highway Business) to C-2/ECR (Highway Business/ El Camino Real Precise Plan) Zoning District; and
- **Special Development Permit** to allow the construction of a 10,696 square-foot motorcycle sales, parts, and service building.

#### FINDINGS:

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the Zoning and Subdivision regulations as to ensure no significant detrimental effect by any proposed use, in the case of PD overlay or any application for a Special Development Permit. Site and architectural control will be exercised over the proposed development by the Planning Commission and City Council.

The above determination is based upon the initial study conducted in this matter, information provided by the applicant in an "Application for Environmental Clearance" and is based on the fact that the use is in keeping with and not in conflict wit the adopted General Plan, Zoning Ordinance and Subdivision Ordinance. The use is specifically permitted by a Special Development Permit and the use would be in keeping with the character of the Zoning District. No endangered species are known to depend on this site for habitat.

#### **MITIGATION MEASURES:**

#### <u>AESTHETICS</u>

All parking lot lighting shall be down lit.

No flood lighting shall be allowed.

No lighting from the building or the parking lot lights, will cast across any property lines.

A lighting plan is required to be submitted with the building permits and is required as a condition of approval.

#### **CULTURAL**

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The applicant is responsible for onsite monitoring of project-related construction. In the event that subsurface cultural resources are encountered during approved ground-disturbing activities, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds.

If human remains are found during project grading, work shall halt and the County Coroner shall be informed immediately.

If disturbance of a project area cultural resource cannot be avoided, a mitigation program, including measures set forth in Section 15126.4 of the CEQA Guidelines, shall be implemented.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to **5:00 p.m. on September 7, 2004**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a Negative Declaration will be considered by the adopting authority, whose action on the protest may be appealed.

Circulated On August 18, 2004	Signed: 52 123010
	Fred Bell, Principal Planner
Adopted On	Verified:
	Fred Rell Principal Planner



File Number: 2004-0602

No. 04-21



# California Department of Fish and Game CERTIFICATE OF FEE EXEMPTION

**De Minimis Impact Finding** 

#### PROJECT TITLE/LOCATION (INCLUDE COUNTY):

The **Rezone** and **Special Development Permit** are located on **1044 West El Camino Real**, City of Sunnyvale, County of Santa Clara in a C-2 (Highway Business) Zoning District. (APN: 198-26-007)

#### **PROJECT DESCRIPTION:**

**Project Description:** Application for related proposals on a 26,600 square-foot site in a C-2 (Highway Business) Zoning District.

- Rezone from C-2 (Highway Business) to C-2/ECR (Highway Business/ El Camino Real Precise Plan) Zoning District; and
- Special Development Permit to allow the construction of a 10,696 square-foot motorcycle sales, parts, and service building.

#### FINDINGS OF EXEMPTION:

- 1. This project is in an urban setting.
- 2. There is no alteration of land or effect on fish or wildlife.

#### **CERTIFICATION:**

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Title: Principal Planner, Community Development

Lead Agency: City of Sunnyvale

Date: August 18, 2004

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INITIAL STUDY City of Sunnyvale

**Department of Community Development** 

Planning Division P.O. Box 3707

Sunnyvale, CA 94088-3707

Project #:

2004-0602 RZ/SDP

Project Address: 1044 W. El Camino Real, Sunnyvale

Applicant:

**Brad Clausen** 

1	Project	Title.
1.	110,000	Title.

Application for a Rezone and Special Development Permit on

a 26,600 square foot site to demolish an existing single-story commercial building and construct a new two-story

commercial retail building.

2. Lead Agency Name and Address: City of Sunnyvale, Community Development Department,

Planning Division

3. Contact Person and Phone Number: Steve Lynch 408-730-2723

Project Location: 4.

1044 West El Camino Real

5. Project Sponsor's Name and Address: Brad Clausen

1233 San Filippo Ct., San Jose, CA 95128 Contact: Brad Clausen, 408-241-0723

6. General Plan Designation: Commercial General Business

7. Zoning: Existing C-2 – Highway Business

: Proposed

C-2-ECR – Highway Business, Precise Plan for El Camino Real

The project consists of a Special Development Permit and Rezone request to allow the construction of 8. a new two-story, 8,746 square foot office and retail building. The building will consist of a showroom/retail area, offices, restrooms, service counter, parts department, and retail floor area. The new building will have a new 4,032 square foot basement area, used for storage. This basement will require approximately 1,300 cubic yards of excavation.

There is an existing 1,932 square foot automotive repair/service building on site, which is proposed to remain. This building was constructed in 1997 and contains two service bays, restrooms, and an office area.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

North: Commercial Retail Businesses

South: Single-Family Residential

East:

Commercial Retail Businesses – Veterinary Hospital

West: Commercial Retail Businesses – Auto dealership

Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement)

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INITIAL STUDY ENVIRONMENTAL

**CHECKLIST** Page 2

#### Project #: 2004-0602 RZ/SDP

1044 W. El Camino Real, Sunnyvale Address:

Brad Clausen Applicant:

#### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Hazards & Hazardous Materials		Public Services				
	Agricultural Resources		Hydrology/Water Quality		Recreation				
	Air Quality		Land Use/Planning		Transportation/Traff	ĭc			
	Biological Resources		Mineral Resources		Utilities/Service Sys	tems			
	Cultural Resources		Noise		Mandatory Findings Significance	of			
	Geology/Soils		Population/Housing		_				
DETERM	INATION: (To be complete	d by tl	ne Lead Agency)						
I find	ne basis of this initial evalua that the proposed project COULI ARATION will be prepared.		have a significant effect on the e	nvironm	ent, and a NEGATIVE				
signif	that although the proposed projecticant effect in this case because renent. A MITIGATED NEGATIVE	visions	s in the project have been made b			X			
	that the proposed project MAY h.CT REPORT is required.	ave a si	gnificant effect on the environm	ent, and	an ENVIRONMENTAL				
mitiga docum the ea	that the proposed project MAY hated" impact on the environment, nent pursuant to applicable legal srlier analysis as described on attamust analyze only the effects that	but at le standare ched sh	east one effect (1) has been adeq ls, and (2) has been addressed by eets. An ENVIRONMENTAL l	uately an mitigati	alyzed in an earlier on measures based on				
potent pursua NEGA	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.								
	Mon			P-11-	-04				
Signature			Date	)					
Steve Lynd	ch, Associate Planner		City	of Sun	nyvale (Lead Agency)				

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Project #: 2004-0602 RZ/SDP

Address: 1044 W. El Camino Real, Sunnyvale

Applicant: Brad Clausen

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#### **EVALUATION OF ENVIRONMENTAL IMPACTS**

- A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Project #: 2004-0602 RZ/SDP

1044 W. El Camino Real, Sunnyvale Address:

Applicant: **Brad Clausen** 

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Issu	es and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
I.	AESTHETICS. Would the project:					
a.	Have a substantial adverse effect on a scenic vista?				X	2, 94
	Substantially damage scenic resources, including, but not ed to trees, rock outcroppings, and historic buildings within a scenic highway?				X	2, 94
c. quali	Substantially degrade the existing visual character or ty of the site and its surroundings?			X		2, 94, 101
d. woul	Create a new source of substantial light or glare which d adversely affect day or nighttime views in the area?		$\mathbf{X}$			2, 94
II. or air	AIR QUALITY. Where available, the significance criteria pollution control district may be relied upon to make the following		• • •		•	nagement
a. air qu	Conflict with or obstruct implementation of the applicable ality plan?				X	3, 97, 100, 111,
b. to an	Violate any air quality standard or contribute substantially existing or projected air quality violation.				X	3, 97, 100, 111,
under (inclu	Result in a cumulatively considerable net increase of any ia pollutant for which the project region is non-attainment an applicable federal or state ambient air quality standard ading releasing emissions which exceed quantitative				X	3, 96, 97, 100, 111,
thresi	nolds for ozone precursors)?			•		
d. conce	Expose sensitive receptors to substantial pollutant entrations?				$\mathbf{X}^{\circ}$	62, 63, 111, 112
e. of pe	Create objectionable odors affecting a substantial number ople?			$\mathbf{X}$		111, 112

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Project #:

2004-0602 RZ/SDP

Address: 1044 W. El Camino Real, Sunnyvale

Applicant: Brad Clausen

# INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
III. BIOLOGICAL RESOURCES. Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X	2, 94, 111, 112, 109
b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?				X	2, 94, 111, 112, 109
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	2, 94, 111, 112, 109
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	2, 94, 111, 112, 109
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	41, 94, 111, 112
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X	2, 41, 94, 111, 112
IV. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?		X			10, 42, 60, 61, 94, 111
b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?		X			10, 42, 94
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X	10, 42, 94, 111
d. Disturb any human remains, including those interred outside of formal cemeteries?				X	2, 111, 112

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Project #:

2004-0602 RZ/SDP

Address: 1044 W. El

1044 W. El Camino Real, Sunnyvale

Applicant: Brad Clausen

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
V. LAND USE AND PLANNING. Would the project:					
a. Physically divide an established community?				X	2, 11, 12, 21, 28
b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local				X	31, 28, 111
coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?					
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?				$\mathbf{X}^{\prime}$	2, 41, 94, 111
VI. MINERAL RESOURCES. Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	2, 94,
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X	2, 94
VII. NOISE. Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			$\mathbf{X}_{i}$		2, 16, 26, 94, 111, 112
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X	2, 16, 26, 94, 111,
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X		112 2, 16, 26, 94, 111, 112
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X		2, 16, 26, 94, 111, 112

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Project #: 2004-0602 RZ/SDP

Address: 1044 W. El Camino Real, Sunnyvale

Applicant: Brad Clausen

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
VIII. POPULATION AND HOUSING. Would the project					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	2, 11, 111, 112
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	2, 11, 111, 112,
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	□ .			X	2, 11, 111, 112
IX. PUBLIC SERVICES. Would the project result in substitute provision of new or physically altered government facilities facilities, the construction of which could cause significant acceptable service ratios, response times or other performance of	need for nee	new or phys ental impac	ically alter ts, in orde	ed gove er to m	rnment
a) Parks?				X	2, 18, 111, 112
b) Fire protection?				X	UFC/U BC/SV MC
c) Schools?				X	2, 111, 112
d) Other public facilities?				X	1, 2, 111, 112
e) Police protection?				X	26, 65, 66, 103, 104

Project #:

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Address:
Applicant: 1044 W. El Camino Real, Sunnyvale

**Brad Clausen** 

INITIAL STUDY ENVIRONMENTAL **CHECKLIST** 

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
X. MANDATORY FINDINGS OF SIGNIFICANCE.					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal				X	2, 10, 26, 42, 59, 60, 61, 111, 112
community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?					
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects,				X	1, 2, 111, 112
the effects of other current projects, and the effects of probable future projects)?					
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	111, 112

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Address: 1044 W. El Camino Real, Sunnyvale

Applicant: Brad Clausen

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issu	es and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Sourc
XI.	GEOLOGY AND SOILS. Would the project:					
(i) most by th evide	Expose people or structures to potential substantial adverse elving: Rupture of a known earthquake fault, as delineated on the recent Alquist-Priolo Earthquake Fault Zoning Map issued as State Geologist for the area or based on other substantial ence of a known fault? Refer to Division of Mines and ogy Special Publication 42.	effects, inclu	iding the risl	c of loss, in	jury or c	UBC, UPC, UPC, UMC, NEC
(ii)	Strong seismic ground shaking?			X		"
(iii)	Seismic-related ground failure, including liquefaction?			X		"
(iv)	Landslides?				X	"
b)	Result in substantial soil erosion or the loss of topsoil?				X	н
resul	Be located on a geologic unit or soil that is unstable, or that id become unstable as a result of the project, and potentially t in on- or off-site landslide, lateral spreading, subsidence, efaction or collapse?			X		"
	Be located on expansive soil, as defined in Table 18-a-B of Jniform Building Code (1994), creating substantial risks to property?				X	
	Have soils incapable of adequately supporting the use of c tanks or alternative waste water disposal systems where ers are not available for the disposal of waste water?				X	II .

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Project #:
Address: 2004-0602 RZ/SDP

1044 W. El Camino Real, Sunnyvale

Applicant: **Brad Clausen** 

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
XII. UTILITIES AND SERVICE SYSTEMS. Would the	project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X	2, 20, 24, , 87, 88, 89, 90, 111, 112
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X	2, 20, 24, 25, 87, 88, 89, 111, 112
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X	2, 20, 24, 25, 87, 88, 89, 111, 112
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				<b>X</b>	2, 20, 24, 25, 87, 88, 89, 111, 112
e) Result in a determination by the wastewater treatment provider that services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X	2, 20, 24, 25, 87, 88, 89, 90, 111, 112
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X	2, 22, 90, 111, 112
g) Comply with federal, state, and local statues and regulations related to solid waste?				X	2, 22, 90, 111, 112

Project #:
Address:
Applicant:

2004-0602 RZ/SDP 1044 W. El Camino Real, Sunnyvale

Brad Clausen

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
XIII. TRANSPORTATION/TRAFFIC. Would the project	ect:				
a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X	2, 12, 71, 75, 76, 77, 111, 112
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X	2, 71, 75, 76, 77, 80, 84, 111, 112,
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	2, 111, 112, 113
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X	2, 12, 71, 75, 76, 77, 80, 84, 111,
e) Result in inadequate emergency access?				$\mathbf{X}$	112, 2, 111, 112
f) Result in inadequate parking capacity?				X	2, 37, 111, 112
g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X	2, 12, 81, 111, 112

Project #:

2004-0602 RZ/SDP

Address: 104

1044 W. El Camino Real, Sunnyvale

Applicant: Brad Clausen

intermixed with wildlands?

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INITIAL STUDY ENVIRONMENTAL
CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
XIV. HAZARDS AND HAZARDOUS MATERIALS. W	Vould the p	project:			
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X	Discussion at end of check-list
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				X	UFC/UB C/SVMC
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an exiting or proposed school?				X	UFC/UB C/SVMC
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X	UFC/UB C/SVMC
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X	UFC/UB C/SVMC
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	UFC/UB C/SVMC
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are				X	<u>UFC/UB</u> <u>C/SVMC</u>

2004-0602 RZ/SDP Project #:

1044 W. El Camino Real, Sunnyvale Address:

Applicant: **Brad Clausen**  Page 17 of 23 INITIAL STUDY ENVIRONMENTAL **CHECKLIST** Page 13

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
XV. RECREATION. Would the project:					
a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	2, 18, 111, 112
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X	2, 18, 111, 112
XVI. AGRICULTURE RESOURCES. In determining whe significant environmental effects, lead agencies may refer to the Ca Assessment Model (1997) prepared by the California Department cassessing impacts on agriculture and farmland. Would the project:	ılifornia Ag	ricultural La	ind Evaluat	ion and S	Site in
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X	94
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	94
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X	94

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source					
XVII. HYDROLOGY AND WATER QUALITY. Would the project:										
a) Violate any water quality standards or waste discharge requirements?				X	2, 24, 25, 111, 112					
b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	2, 24, 25, 111, 112					
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X	2, 24, 25, 111, 112					
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X	2, 24, 25, 111, 112					
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X	2, 24, 25, 111, 112					
f) Otherwise substantially degrade water quality?				X	2, 12, 19, 24, 111, 112					
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	2, 19, 24, 111, 112					
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X	2, 19, 24, 25, 111, 112					
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	2, 19, 24, 25, 111, 112					
j) Inundation by seiche, tsunami, or mudflow?				X	2, 19, 24, 25, 111, 112					

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#### DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT

- AESTHETICS (c) The City's implementation of the Commercial Design Guidelines and staff's review of final development plans, which will be submitted for final Building Permit review, will ensure that the final design of the project is consistent with the plans reviewed by the Planning Commission and City Council. The project will not degrade the visual character or quality of the site and its surroundings. As a result, this impact will be less than significant.
- II AIR QUAILITY (e) The new building will have a new 4,032 square foot basement area, used for storage. This basement will require approximately 1,200 cubic yards of excavation from the site. This may introduce temporary and short term dust into the air, and therefore, temporarily affect air quality. Through the City's implementation of the Municipal Code's construction regulations, this impact will be lessened to a less than significant level during construction.
- VII NOISE (a) The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.
- VII NOISE (c) The project will introduce additional sources of noise to the project area both during construction and as an operational aspect of the new motorcycle dealership. The new use of the property is anticipated to be as intensive as the previous use, which was an auto dealership and auto repair facility. Through the City's implementation of the Municipal Code noise regulations, this impact will be lessened to a less than significant level both during construction and postconstruction operation.
- VII NOISE (d) The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.
- XI. GEOLOGY AND SOILS (a)(ii) The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. Through the City's implementation of the Uniform Building Code requirements for area's with potential for seismic activity this aspect of the project will be reduced to a less than significant level.
- XIGEOLOGY AND SOILS (a)(iii) See Note for XI(ii).
- $\mathbf{XI}$ GEOLOGY AND SOILS (c) See Note for XI(ii).

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# DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

I AESTHETICS (d) The existing use on the property is a single-story auto dealership; therefore; new sources of light may be cast onto adjoining properties from the new second-story elevation. With the standard conditions of approval (lighting plan approval prior to building permit issuance) and proposed project mitigation, the project will not create any new significant glare or adversely affect the nighttime views of the surrounding residents.

The following mitigation measures are proposed:

WHAT: 1) All parking lot lighting shall be down lit.

- 2) No flood lighting shall be allowed.
- 3) No lighting from the building or the parking lot lights, will cast across any property lines.
- 4) A lighting plan is required to be submitted with the building permits and is required as a condition of approval.
- WHEN: These mitigation measures will be converted into conditions of approval for this Special Development Permit prior to its final approval by the City Council. The conditions will become valid when the SDP is approved and prior to building permit issuance.
- WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.
- HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.
- IV CULTURAL RESOURCES (a) See Note for IV (b).
- IV CULTURAL RESOURCES (b) Staff has no evidence of archaeological resources being located on-site or being found in the immediate vicinity. However, the project scope does include excavation of the site for a 4,032 square foot basement during construction of the proposed building and there may be the potential that the project may uncover yet undiscovered archaeological resources.

The following mitigation measures are proposed:

WHAT: 1) The applicant is responsible for onsite monitoring of project-related construction. In the event that subsurface cultural resources are encountered during approved ground-disturbing activities, work in the immediate vicinity shall be stopped and a qualified

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archaeologist retained to evaluate the finds. The discovery or disturbance of any cultural resources shall also be reported to the California Historic Resources Information System (CHRIS) and, if Native American artifacts are found, to the Native American Heritage Commission. Identified cultural resources should be recorded on form DPR 523 (historic properties). Mitigation measures prescribed by these groups and required by the City of Sunnyvale should be undertaken prior to resumption of construction activities.

- 2) If human remains are found during project grading, work shall halt and the County Coroner shall be informed immediately. If the Coroner determines that no investigation of the cause of death is required, and if the remains are of Native American origin, the Native American Heritage Commission should be contacted and further actions should be taken in consultation with them.
- 3) If disturbance of a project area cultural resource cannot be avoided, a mitigation program, including measures set forth in Section 15126.4 of the CEQA Guidelines, shall be implemented.
- WHEN: These mitigation measures will be converted into conditions of approval for this Special Development Permit prior to its final approval by the City Council. The conditions will become valid when the SDP is approved and prior to building permit issuance.
- WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.
- HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

Completed By: Steve Lynch, Associate Planner Date: August 11, 2004

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#### ENVIRONMENTAL CHECKLIST REFERENCE LIST

Note: All references are the most recent version as of the date the initial Study was prepared:

- 1. City of Sunnyvale General Plan:
- 2. Map
- 3. Air Quality Sub-Element
- 4. Community Design Sub-Element
- 5. Community Participation Sub-Element
- 6. Cultural Arts Sub-Element
- 7. Executive Summary
- 8. Fire Services Sub-Element
- 9. Fiscal Sub-Element
- 10. Heritage Preservation Sub-Element
- 11. Housing & Community Revitalization Sub-Element
- 12. Land Use & Transportation Sub-Element
- 13. Law Enforcement Sub-Element
- 14. Legislative Management Sub-Element
- 15. Library Sub-Element
- 16. Noise Sub-Element
- 17. Open Space Sub-Element.
- 18. Recreation Sub-Element
- 19. Safety & Seismic Safety Sub-Element
- 20. Sanitary Sewer System Sub-Element
- 21. Socio-Economic Sub-Element
- 22. Solid Waste Management Sub-Element
- 23. Support Services Sub-Element
- 24. Surface Run-off Sub-Element
- 25. Water Resources Sub-Element
- 26. City of Sunnyvale Municipal Code:
- 27. Chapter 10
- 28. Zoning Map
- 29. Chapter 19.42. Operating Standards
- 30. Chapter 19.28. Downtown Specific Plan District
- 31. Chapter 19.18. Residential Zoning Districts
- 32. Chapter 19.20. Commercial Zoning Districts
- 33. Chapter 19.22. Industrial Zoning Districts
- 34. Chapter 19.24. Office Zoning Districts
- 35. Chapter 19.26. Combining Zoning Districts
- 36. Chapter 19.28. Downtown Specific Plan
- 37. Chapter 19.46. Off-Street Parking & Loading
- 38. Chapter 19.56. Solar Access
- 39. Chapter 19.66. Affordable Housing
- 40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses

- 41. Chapter 19.94. Tree Preservation
- 42. Chapter 19.96. Heritage Preservation

#### **Specific Plans**

- 43. El Camino Real Precise Plan
- 44. Lockheed Site Master Use Permit
- 45. Moffett Field Comprehensive Use Plan
- 46. 101 & Lawrence Site Specific Plan
- 47. Southern Pacific Corridor Plan

#### **Environmental Impact Reports**

- 48. Futures Study Environmental Impact Report
- 49. Lockheed Site Master Use Permit Environmental Impact Report
- 50. Tasman Corridor LRT Environmental Impact Study (supplemental)
- 51. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
- 52. Downtown Development Program Environmental Impact Report
- 53. Caribbean-Moffett Park Environmental Impact Report
- 54. Southern Pacific Corridor Plan Environmental Impact Report

#### Maps

- 55. City of Sunnyvale Aerial Maps
- 56. Flood Insurance Rate Maps (FEMA)
- 57. Santa Clara County Assessors Parcel
- 58. Utility Maps (50 scale)

#### Lists/Inventories

- 59. Sunnyvale Cultural Resources Inventory List
- 60. Heritage Landmark Designation List
- 61. Santa Clara County Heritage Resource Inventory
- 62. Hazardous Waste & Substances Sites List (State of California)
- 63. List of Known Contaminants in Sunnyvale

#### Legislation/Acts/Bills/Codes

- 64. Subdivision Map Act
- 65. Uniform Fire Code, including amendments

#### ENVIRONMENTAL CHECKLIST REFERENCE LIST

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All references are the most recent version as of the date the initial Study was prepared: Note:

- per SMC adoption
- National Fire Code (National Fire Protection Association)
- 67. Title 19 California Administrative Code
- 68. California Assembly Bill 2185/2187 (Waters
- 69. California Assembly Bill 3777 (La Follette
- 70. Superfund Amendments & Reauthorization Act (SARA) Title III

#### **Transportation**

- 71. California Department of Transportation Highway Design Manual
- 72. California Department of Transportation Traffic Manual
- 73. California Department of Transportation Standard Plan
- 74. California Department of Transportation Standard Specification
- 75. Institute of Transportation Engineers Trip
- 76. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
- 77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
- 78. California Vehicle Code
- 79. Traffic Engineering Theory & Practice by L. J. Pegnataro
- 80. Santa Clara County Congestion Management Program and Technical Guidelines
- 81. Santa Clara County Transportation Agency Short Range Transit Plan
- 82. Santa Clara County Transportation Plan
- 83. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

#### **Public Works**

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan

- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara
- Geotechnical Investigation Reports 91.
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

#### Miscellaneous

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?)
- 99. Association of Bay Area Governments (ABAG) Population Projections 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

#### **Building Safety**

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

#### **Additional References**

- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis

- 111. Project Description112. Project Development Plans113. Santa Clara County Airport Land Use Plan
- 114 Federal Aviation Administration

# **ATTACHMENT 4**

## SITE AND ARCHITECTURAL PLANS

